

Message Text

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C O N F I D E N T I A L STATE 215869

FOR FRDCO

FOLLOWING REPEAT DAR ES SALAAM 3659 ACTION SECSTATE NAIROBI
DATED SEP 08:

QTE:C O N F I D E N T I A L DAR ES SALAAM 3659

E.O. 11652: GDS

TAGS: EAIR, AFSP, TZ, KE

SUBJECT: KENYA GOVERNMENT INTENTION TO RESTRICT INTERNATIONAL
AIR TRAFFIC BETWEEN TANZANIA AND KENYA

REF: NAIROBI 11455

1. IF KENYA ACTUALLY CARRIES OUT DIRECTIVE TO AIRLINES CONTAINED
REFTEL, LIKELY CONSEQUENCE WOULD BE SEVERELY REDUCED TRANSPORT
LINKS TO/FROM TANZANIA WITH RESULTANT LOGISTICAL DISRUPTIONS FOR
US AS WELL AS FOR OTHER DIPLOMATIC/AID MISSIONS IN TANZANIA. WE
WILL NOT BE IN A POSITION TO ASSESS IMPACT ON OUR SUPPORT
FUNCTIONS SUCH AS MEDICAL EVACUATION AND POUCH SHIPMENTS UNTIL WE
HAVE CLEARER PICTURE OF INTENTIONS OF KENYA GOVERNMENT AND OF
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THE AIRLINES CURRENTLY SERVING DAR ES SALAAM. IN MEANTIME,
BECAUSE OF POSSIBLE SERIOUS IMPLICATIONS OF KENYAN MOVE TO US
AVIATION INTERESTS AS WELL AS THE POTENTIAL FOR SERIOUSLY
DISRUPTING MISSION OPERATIONS, BELIEVE USG SHOULD FOCUS ON
SUBJECT WITH A VIEW TOWARD ASSESSING CHANCES OF PREVENTING OR
MODERATING ITS IMPLEMENTATION. IN THIS REGARD WE WOULD OFFER THE
FOLLOWING THOUGHTS AND QUESTIONS.

2. IT IS POPULAR BELIEF AMONG TANZANIANS THAT KENYAN ACTION IS IN RETAILIATION FOR TANZANIA'S CLOSURE OF LAND BORDER AND DETENTION OF KENYAN PROPERTY - AND THAT KENYA HOPES THREAT WILL FORCE TANZANIA TO NEGOTIATE BORDER, TRADE AND EAST AFRICAN COMMUNITY ISSUES. ON OTHER HAND SOME OBSERVERS NOTE THAT LAST TIME KENYA BRIEFLY REVOKED FIFTH FREEDOM RIGHTS, ISSUE WAS WITH INTERNATIONAL AIRLINES AND INVOLVED REQUEST FOR 20 PER CENT OF FARES. CAN EMBASSY NAIROBI SHED ANY LIGHT ON NATURE AND INTENTION OF KENYAN ORDER?

3. WE NOTE THAT ICAO MEETING WILL CONVENE IN MONTREAL ON 13 SEPTEMBER. PRESUMABLY, TANZANIAN DELEGATION WILL RAISE THE ISSUE. UNDER CURRENT INTERNATIONAL AGREEMENTS, CAN KENYA "CEASE TO BE AVAILABLE FOR STOP-OVER" TO 5TH FREEDOM CARRIERS OPERATING IN TANZANIA? CAN KENYA REVOKE 5TH FREEDOM TRAFFIC RIGHTS? EVEN IF ANSWER TO THESE QUESTIONS IS YES, IS ICAO LIKELY RESIST KENYAN ACTIONS ON BASIS THEIR POLITICAL AND DISCRIMINATORY NATURE? WHAT ROLE CAN/SHOULD US DEL TO ICAO MEETING PLAY IN OPPOSING KENYAN RESTRICTIONS?

4. SHOULD USG IN COLLABORATION WITH OTHER GOVERNMENTS MAKE DIPLOMATIC REPRESENTATION ON THIS ISSUE TO KENYA GOVERNMENT? WHILE WE DO NOT PROPOSE TO GET IN MIDDLE OF POLITICAL, ECONOMIC AND IDEOLOGICAL CONFLICT BETWEEN TANZANIA AND KENYA, THERE MIGHT BE VALUE IN APPROACH FOCUSED ON CONFIDENTIAL

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SERIOUS INCONVENIENCE TO DIPLOMATIC ESTABLISHMENTS IN TANZANIA. WOULD APPRECIATE NAIROBI'S JUDGMENT ON LIKELY RECEPTIVITY IN DIPLOMATIC CORPS AND LIKELY REACTION BY KENYA GOVERNMENT TO SUCH A JOINT APPROACH. WHILE MOST EFFECTIVE COUNTER TO KENYA DIRECTIVE WOULD BE COORDINATED REFUSAL BY AFFECTEDCARRIERS TO LAND IN KENYA, WE REALIZE CHANCES OF THIS HAPPENING ARE SLIM.

5. TANZANIA GOVERNMENT HAS NOT YET COMMENTED ON KENYAN MOVE. IT WILL PROBABLY TAKE TOUGH LINE, ESPECIALLY IF, AS IS LIKELY, IT PERCEIVES RESTRICTIONS AS POLITICALLY MOTIVATED AND AS ATTEMPT TO GAIN BARGAINING LEVERAGE. FOR EXAMPLE, CURRENT RUMOR CIRCULATING HERE IS THAT TAN GOV WOULD RESCEND OVERFLIGHT RIGHTS TO ANY AIRLINE COMPLYING WITH SUCH A KENYAN ORDER. SPAIN UNQTE VANCE

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